

Freedom of Information Act 2000 (Section 51)

Information notice

Date: 15 July 2021

Public Authority: Chief Constable of Bedfordshire Police
Address: Bedfordshire Police Headquarters
Woburn Road
Kempston
Bedford
MK43 9AX

Section 51

Under section 51 of the Freedom of Information Act 2000 (the "Act"), which is set out below, the Information Commissioner (the "Commissioner") has the power to serve a notice on a public authority requiring it to furnish her with any information she requires to enforce the requirements of the Act.

51. – (1) If the Commissioner –

(a) has received an application under section 50, ...

she may serve the authority with a notice (in this Act referred to as "an information notice") requiring it, within such time as is specified in the notice, to furnish the Commissioner, in such form as may be so specified, with such information relating to the application, to compliance with Part I or to conformity with the code of practice as is so specified.

Application under section 50

1. The Commissioner has received an application under section 50, reference IC-69523-Z9G8, for a decision whether a request for information made by the complainant to Bedfordshire Police on 27 August 2020, has been dealt with in accordance with the requirements of Part I of the Act.

Nature of complaint

2. On 27 August 2020, the complainant made the following request for information under the FOIA:

"I am sending this request under the Freedom of Information Act.

Please provide a copy of all problem profile assessments produced or commissioned by your police force related to child sexual exploitation in your force area from January 1st 2010 to date.

I accept some limited exemptions may well be required under section 31 in relation to the processing of this request. However, as you will be aware, section 31 cannot be used in a blanket manner, and all information that does not explicitly trigger section 31 must be released.

There is a very strong public interest in the release of most of this information, to ensure the public is fully aware of risks in their police area. Outside of specifics that would be subject to section 40 redactions anyway, it is unlikely that much of this information would be useful to potential perpetrators.

As such, please ensure each redaction is properly justified in line with the act, after a full and considered public interest test".

3. Bedfordshire Police responded on 25 September 2020 and refused to provide the requested information citing the following sections of the FOIA: 31(1)(a)(b), 40(2) and 23(5).
4. Bedfordshire Police provided an internal review on 4 November 2020 in which it maintained its position.
5. On 9 November 2020, the complainant wrote to the Commissioner to complain about the response.
6. On 4 May 2021, the Commissioner wrote to Bedfordshire Police raising various queries to assist with her investigation. At the time of writing this notice, she has received a response but, despite being reminded, Bedfordshire Police has failed to provide a copy of the withheld information.

Information required

7. In view of the matters described above the Commissioner hereby gives notice that in the exercise of her powers under section 51 of the Act she

requires that Bedfordshire Police shall, within 30 calendar days of the date of this notice, furnish the Commissioner with a copy of the following information.

8. Bedfordshire Police is required to provide an unredacted copy of the withheld information falling within the scope of this request. This should be clearly highlighted to indicate where each of the exemptions cited has been applied.

Failure to comply

9. Failure to comply with the steps described above may result in the Commissioner making written certification of this fact to the High Court (or the Court of Session in Scotland) pursuant to section 54 of the Act, and may be dealt with as a contempt of court.

Right of appeal

10. There is a right of appeal against this information notice to the First-tier Tribunal (Information Rights). Information about the appeals process can be obtained from:

First-tier Tribunal (Information Rights)
GRC & GRP Tribunals,
PO Box 9300,
LEICESTER,
LE1 8DJ

Tel: 0300 1234504

Fax: 0870 739 5836

Email: grc@Justice.gov.uk

Website: www.justice.gov.uk/tribunals/general-regulatory-chamber

11. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this information notice is sent. If Notice of Appeal is served late the Tribunal will not accept it unless it is of the opinion that it is just and right to do so by reason of special circumstances.

Signed

Carolyn Howes
Senior Case Officer
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF